

REMARKS

Claims 1-26 are pending in the application.

Claims 1, 9, 14 and 22 are rejected.

Claim 2-8, 10-13, 15-21 and 23-26 are objected to.

Claims 1, 9, 14 and 22 have been canceled.

Claim 2-4, 8, 10-11, 15-17, 21, and 23-24 have been amended.

All amendments and remarks are made in a good faith effort to advance the prosecution on the merits. Applicants reserve the right subsequently to take up prosecution on the claims as originally filed in this or appropriate continuation, continuation-in-part and/or divisional applications.

Applicants respectfully request that the amendments submitted herein be entered, and further requests reconsideration in light of the amendments and remarks contained herein.

Claim Objections

Claims 9 and 22 are objected to because of the following informalities:

As per claims 9 and 22 (line 6), the Examiner writes:

“the phrase “into said a non-volatile memory” should be – into said non-volatile memory--. Appropriate correction is required.”

Claims 9 and 22 have been canceled. However, the informality identified by the Examiner has been remedied in claims 10, 11, 23, and 24 by changing the phrase “into said a non-volatile memory” into – into a non-volatile memory --. Reconsideration and withdrawal of the objection are respectfully requested.

Claim Rejections - 35 U.S.C. §102

Claims 1, 9, 14 and 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by Weber (U.S. patent No. 4,559,637).

As per claims 1 and 22 [sic.], the Examiner writes:

“Weber discloses a tamper proof digital value accumulator and display method and apparatus including an encoder having a unique key constructed and arranged to configure an encryption engine and arrange to store the odometer value in a non-volatile memory (see e.g. Fig. 1, item 12, col. 2, lines 1-24) and a decoder to receiver the encrypted odometer value from the encoder (see e.g. Fig. 1, item 60 and col. 2, lines 37-46).”

Applicants presume that the Examiner meant the above paragraph to pertain to claims 1 and 14, instead of claims 1 and 22 as indicated in the last office action. In any case, claims 1, 14, and 22 have been canceled.

As per claims 9 and 22, the Examiner writes:

“Weber discloses the invention as claimed including an encoder having a unique key and an encryption engine (see e.g. col. 2, lines 20-24 and col. 4, lines 3-20), configuring the encryption circuit with the key (see e.g. col. 2, lines 20-24, col. 4, lines 1-20), receiving an increment signal (see e.g. col. 9, lines 5-10), incrementing an odometer value to form an incremented odometer value (see e.g. see e.g. col. 9, lines 11-21), storing the incremented odometer value into a non-volatile memory (see e.g. col. 8, lines 66-68), encrypting the incremented odometer value with the encryption engine to form an encrypted odometer value, transmitting the encrypted value to a decoder and decrypting the encrypted odometer value with the decoder to obtain the odometer value (see Serial No.: 09/769,679 Art Unit: 2863 4e.g. Figs 1-3).”

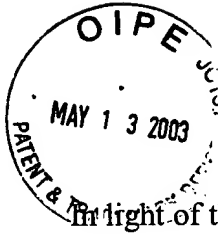
Claims 9 and 22 have been canceled.

Allowable Subject Matter

As per claims 2-8, 10-13, 15-21 and 23-26, the Examiner writes:

- **“Claims 2-8, 10-13, 15-21 and 23-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.”**

Claims 2, 3, 4, 8, 10, 11, 15-17, 21, 23, and 24 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims as helpfully suggested by the Examiner. Claims 5-7, 12, 13, 18-20, and 25-26 all depend upon one of the aforementioned amended claims.

SUMMARY

In light of the above remarks and amendments, reconsideration and withdrawal of the outstanding rejections and objections are respectfully requested. It is further submitted that the application is now in condition for allowance and early notice of the same is earnestly solicited. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone or facsimile.

Respectfully submitted,

BAKER BOTTS L.L.P. (023640)

By:

A handwritten signature in black ink, reading "Ronald L. Chichester".

Ronald L. Chichester

Reg. No. 36,765

One Shell Plaza

910 Louisiana Street

Houston, Texas 77002-4995

Telephone: 713.229.1341

Facsimile: 713.229.7741

E-Mail: Ronald.Chichester@bakerbotts.com

ATTORNEY FOR APPLICANTS

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TECHNOLOGY CENTER 2800